E-Filed 8/9/11

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6 Attorneys for Defendant
SONY COMPUTER ENTERTAINMENT AMERICA LLC
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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

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13 HENRY GARCIA, on behalf of himself,
all others similarly situated and the
general public,

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15 Plaintiff,

16 v.

17 SONY COMPUTER
ENTERTAINMENT AMERICA LLC,

18 Defendant.

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CASE NO. CV-11-2246 RS

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE HEARING DATE**
AS MODIFIED BY THE COURT

Judge: Hon. Richard Seeborg
Courtroom: 3

DLA PIPER LLP (US)

WEST\224158298.1   STIPULATION AND [PROPOSED] ORDER TO CONTINUE HEARING DATE
CASE NO. CV-11-2246 RS

1   Pursuant to Local Rule 6-1 of the Northern District of California, it is hereby stipulated

2   and agreed by plaintiff Henry Garcia and defendant Sony Computer Entertainment America LLC

3   ("SCEA"), by and through their attorneys of record, as follows:

4   WHEREAS, on July 7, 2011, SCEA filed a Motion to Dismiss Mr. Garcia's Initial Class

5   Action Complaint and a Motion to Stay Discovery pending resolution of the Motion to Dismiss.

6   These motions were noticed for hearing on August 25, 2011.

7   WHEREAS, on July 21, 2011, Mr. Garcia' filed a First Amended Class Action Complaint

8   in response to SCEA's Motion to Dismiss the Initial Class Action Complaint.

9   WHEREAS, on August 8, 2011, SCEA filed a Motion to Dismiss Mr. Garcia's First

10   Amended Class Action Complaint. This motion is noticed for hearing on September 15, 2011.

11   WHEREAS, the parties agree that, because of the overlap in the factual and legal bases for

12   SCEA's Motion to Stay Discovery and its Motion to Dismiss the First Amended Class Action

13   Complaint as well as Mr. Garcia's opposition to those motions, it would be more efficient and

14   beneficial to schedule these motions for hearing on the same date.

15   On these grounds, the parties hereby stipulate and agree to continue the date for hearing

16   SCEA's Motion to Stay Discovery from August 25, 2011, at 1:30 p.m., to September 15, 2011, at

17   1:30 p.m. The parties do not request a continuance of the Initial Case Management Conference

18   scheduled for August 25, 2011.

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20   Dated: August 9, 2011   BLOOD HURST & O'REARDON LLP

21   CASEY GERRY SCHENK FRANCAVILLA
                                         BLATT & PENFIELD LLP
22
                                         DAVID LIZERBRAM & ASSOCIATES
23
                                         By   /s/ Timothy G. Blood
24   TIMOTHY G. BLOOD
                                             THOMAS J. O'REARDON II
25   PAULA M. ROACH
                                             Attorneys for Plaintiff
26   HENRY GARCIA

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DLA PIPER LLP (US)
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       WEST\224158298.1   STIPULATION AND [PROPOSED] ORDER TO CONTINUE HEARING DATE
                                                                      CASE NO. CV-11-2246 RS

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Dated: August 9, 2011   DLA PIPER LLP (US)

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3   By   /s/ Carter Ott
                                                   CARTER W. OTT
4   Attorneys for Defendant
                                                   SONY COMPUTER ENTERTAINMENT
5   AMERICA LLC

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7   I, Carter Ott, am the ECF user whose ID and password are being used to file this

8   STIPULATION TO CONTINUE HEARING DATE. In compliance with General Order 45,

9   X.B., I hereby attest that Timothy Blood has concurred in this filing.

10   **ORDER**

11   PURSUANT TO STIPULATION, IT IS SO ORDERED:

12   The hearing regarding SCEA's Motion to Stay Discovery, currently scheduled for August

13   25, 2011, is hereby continued to September 15, 2011 at 1:30 p.m.   Initial Case Management scheduled
                                                            for August 25, 2011 at 10:00 AM.
14   IT IS SO ORDERED.

15   DATED: _8/9_____, 2011

16   By _____
                                                   HONORABLE RICHARD SEEBORG
17   United States District Judge

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STIPULATION AND [~~PROPOSED~~] ORDER TO CONTINUE HEARING DATE
CASE NO. CV-11-2246 RS